

Draft of 01/07/2013

Chadds Ford Township
Delaware County, PA

Board of Supervisors' Meeting
Wednesday, December 5, 2012
7:30 P.M.

Officials Present:

George M. Thorpe, Chairman
Deborah F. Love, Vice Chair
Keith C. Klaver, Supervisor
Joe Barakat, Manager
Hugh A. Donaghue, Solicitor
Joseph A. Mastronardo, Engineer
Matt DiFilippo, Asst. Sec – Treas.

Call to Order

Chairman Thorpe called the meeting to order at 7:33PM, and reviewed the emergency exits.

State Police Report

A written report was submitted.

Concordville-Chadds Ford Rotary Recognition, Resolution 2012-20

Vice Chair Love read the Township's Resolution 2012-20 recognizing the Concordville-Chadds Ford Rotary for 60 years of service to the Chadds Ford community. Rotary representatives Don McNeal and Dominic Capelli were present, and Mr. McNeal gave a brief presentation and history of the Rotary Club.

Approval of Minutes

Upon motion and second (Klaver/ Love) the BOS unanimously approved the BOS monthly public meeting minutes of November 7.

Supervisors' Report

Chairman Thorpe reported that three executive sessions were held: November 30 for personnel reviews, December 3 for legal actions, and December 5, again, for personnel reviews.

Manager's Report

Manager Barakat reported a public safety message from the State Police, and a robbery at 364 Wilmington Pike. He presented for approval a retirement plan recommended by the Township's accounting firm, Mallie Falconiero for Township employees. Employee eligibility details were discussed.

Upon motion and second (Love/ Klaver) the BOS approved the Simple IRA Plan for Township employees.

Samanatha Reiner, Webb Road resident, asked what happens if an employee doesn't match the Township's amount contributed to the Simple IRA Plan, and whether or not there are any administrative fees.

Valerie Hoxter, Painter's Crossing, asked if the Simple IRA Plan for Township employees was being approved tonight, if the paperwork has been signed, and whether or not the plan had been set-up already and if any employees had received a contribution from the Township.

Vice Chair Love responded that employees have to serve a certain amount of years and earn a certain amount of money each year to be eligible, that the Township will not contribute to the fund if the employee doesn't contribute, and that there are minimal administrative fees.

Supervisor Klaver responded that the concept of the plan was approved last year in 2011, but not formalized until now, in 2012. Supervisor Klaver also reported that Manager Barakat did receive a contribution from the Township in cash included in his salary.

Paul Koch, Baltimore Pike, asked how the Simple IRA Plan for eligible Township employees is reflected in the Township's proposed budget for 2013, and where?

He was asked if he would save his question for later in the meeting when the proposed 2013 Township Budget would be discussed.

Treasurer's Report

Asst. Sec – Treas. DiFilippo presented the Treasurer's Report.

GENERAL FUND RECEIPTS

| | | |
|--|----|-------------|
| Miscellaneous Collections and TWP Reimbursements | \$ | \$35,843.44 |
| Comcast Franchise Fee (3 rd Quarter) | \$ | 11,562.47 |
| TOTAL RECEIPTS: | \$ | 47,405.91 |

GENERAL FUND DISBURSEMENTS

| | | |
|--------------------------------|----|-----------|
| Bills, Wages, and ACH Payments | \$ | 61,937.74 |
| TOTAL DISBURSEMENTS | \$ | 61,937.74 |

| | | |
|-----------------------------------|----|------------|
| GENERAL FUND UNRESTRICTED BALANCE | \$ | 609,507.76 |
|-----------------------------------|----|------------|

FEE IN LIEU FUND DISBURSEMENTS

| | | |
|-----------------------------------|----|--------|
| Pennon Engineering Invoice 520269 | | |
| Re: Harvey Run Trail | \$ | 904.88 |

Upon Motion and Second (Love/ Klaver) the BOS unanimously approved the General Fund Disbursements in the amount of \$61,937.74.

Upon Motion and Second (Klaver/ Love) the BOS unanimously approved the Fee in Lieu Fund

Samantha Reiner, Webb Road, asked which quarter the franchise fee payment from Comcast represented, and how much money had been received by the Township from Comcast for the current calendar year. Ms. Reiner also requested from Asst. Sec – Treas. DiFilippo the Comcast Franchise Fees for the year 2012. Asst. Sec – Treas. DiFilippo agreed to answer her questions and comply with her request in the following days when he could return to his desk and retrieve the information.

Building Code Officer

The hearing regarding Chadds Ford Investors, 1751 Wilmington Pike (Hineman/ Carlino), with the Zoning Hearing Board will be continued to the January 2013 ZHB meeting.

BCO Jensen reported meeting with Andy Varriale regarding signage for Keystone Plaza and said that Andy was returning with a revised plan for signage for the shopping center that should comply. BCO Jensen also reported that there are two issues at Keystone Plaza worthy of citations: an office alteration at Keystone Plaza in which no permits were acquired, and a shed on the lot in which no permits were required.

Regarding Chadds Ford Tavern, BCO Jensen reported that he has not heard from the restaurant in over a month about conducting a Grease Trap Inspection.

The Olde Ridge Village sign violation was resolved, but Pagano's violated the sign ordinance again.

The Knife Shop on 202 has violated the sign ordinance with blinking lights.

All four citations issued to 8 Spring Lane have been withdrawn.

There are violations on the Grace properties which need to be addressed by Pennoni or the Township Manager. Pennoni agreed to cite the Grace properties in violation.

Grease is running down the side of the Bistro on the Brandywine building which is a hazard. The grease traps were inspected by Pennoni Associates. A re-inspection is necessary.

1281 Baltimore Pike, Rocco D'Antonio was discussed.

Paul Koch, Baltimore Pike, asked what was going on at 1281 Baltimore Pike.

BCO Jensen reported a pre-construction meeting with the Township, PENNDOT and the Conservation District, and explained more about the site and the pre-construction meeting in response to Paul Koch's question.

Engineer's Report

Engineer Mastronardo submitted a written report.

Upon motion and second (Love/ Klaver) the BOS unanimously approved Brueggemann Chemical Escrow Release #5 in the amount of \$124,635.44.

Engineer Mastronardo discussed the Pettinaro project at Spring Hill Drive and 202, the Township of Concord's involvement, the PENNDOT HOP, and Chadds Ford Township's responsibility of the traffic light. Pettinaro requested a traffic light easement concerning the project and provided corresponding paperwork to the Township.

Upon motion and second (Klaver/ Love) the BOS unanimously accepted the traffic signal easement agreement from Riley, Riper, Hollin and Colagreco on behalf of Pettinaro.

The traffic light and turn lanes were further discussed.

Samantha Reiner, Webb Road, asked about the intersection improvements and whether or not a development was being built, and who will bear the cost of signal upgrades.

Vice Chair Love responded that the onus is on the developer, and that the HOP permits must be acquired from PENNDOT.

Manager Barakat added that the signal is shared by Chadds Ford Township with the Township of Concord and Concord manages the costs while Chadds Ford Township reimburses Concord for accrued expenses such as insurance. Higgins provides signal service for Chadds Ford Township and the Township of Concord.

Old Business

There was no old business to discuss.

New Business

The proposed 2013 Township Budget was presented for adoption. The budget is balanced, there is no tax increase, and there is a surplus carryover from 2012. The Township's assessment letter was received from the County. The Capital Improvement Fund was decreased from \$20,000 to \$10,000, and some of the expensive items for 2013 will be funded by the surplus carryover such as the 537 Plan and road improvements, specifically, Oakland Road.

Manager Barakat's salary was thoroughly discussed. Samantha Reiner, Webb Road, brought up a Right-to-Know request she filed for the information. The question was asked what was the Manager's salary from 2012, and what will the Manager's salary be in 2013. The Manager's compensation for 2012 was disclosed, and the amount for 2013 had not been finalized.

Solicitor Donaghue responded that detailed information was provided in response to Samantha Reiner's request, and what information was provided.

The Manager's car allowance, monthly Roadmaster benefit, and health insurance reimbursement was discussed in detail. Bruce Prabel, Heyburn Road, asked about the Manager's benefits, and the Supervisors to consider a community volunteer Roadmaster with a stipend more in line with neighboring Townships.

The Supervisors responded as to what the Manager did and how his duties had expanded, and comparisons were made with previous years and what was done.

Many community residents asked questions about the budget, how the Township was spending the money, the increase in Township staff salaries, the Township's budgeting process, acquiring the Open Space from the Estates at Chadds Ford and whether or not expenditures were expected, where certain money received from Toll Brothers is and how it's been used if it has been.

The Manager's health benefits were discussed and how much the Manager is compensated on a monthly basis for health insurance.

Valerie J. Hoxter, Painter's Crossings and Samantha Reiner, Webb Road, both inquired about staff benefits and monthly reimbursements.

Bruce Prabel, Heyburn Road, Samantha Reiner, Webb Road, and Valerie Hoxter, Painter's Crossing, all brought up the topic of the Township's reassessment and whether or not the Township missed out on uncollected LST and BPT Tax money as well as improperly reassessed properties within the Township, and the Township's policy and procedure concerning proper reassessment. Collecting back taxes and setting up a volunteer task force to do so was discussed.

The software package under contract and to be purchased by the Township to track the Township's permitting process was discussed.

After a thorough question and answer session, the budget was passed.

Upon motion and second (Klaver/ Love) the BOS unanimously approved Resolution 2012-22, Chadds Ford Township's proposed 2013 Budget.

Committee Reports

There were no committee reports.

Public Comment

Marianne Prabel, Heyburn Road, brought up the preceding Workshop of Monday, December 3, 2012, and how Tax Collector and Township resident Valerie Hoxter, Painter's Crossing, was denied her right to ask a question concerning the topic of improperly reassessed properties within the Township. Ms. Hoxter insisted on her right to be heard. Vicky Hoxter, Painter's Crossing, addressed the Board of Supervisors. Debbie Reardon, Open Space Chair, thanked all of the residents who attended the meeting tonight for their support and interest in Township business.

Adjournment

The meeting was adjourned by Chairman Thorpe at 10:30PM.

Respectfully submitted,

Matt DiFilippo, Asst. Sec – Treas.